



MINUTES

Regular Meeting

Reno City Planning Commission

Thursday, January 9, 2020 • 6:00 PM

Reno City Council Chamber, One East First St, Reno, NV 89501

Commissioners			
Mark Johnson, Chair 326-8864			
Kathleen Taylor, Vice Chair	326-8859	John Marshall	326-8863
Peter Gower	326-8860	Paul Olivas	326-8861
Ed Hawkins	326-8862	Alex Velto	326-8858

1 Pledge of Allegiance

Commissioner Olivas led the Pledge of Allegiance.

2 Roll Call

Attendee Name	Title	Status	Arrived
Mark Johnson	Chair	Present	
Kathleen Taylor	Vice Chair	Absent	
Peter Gower	Commissioner	Present	
Ed Hawkins	Commissioner	Present	
John Marshall	Commissioner	Absent	
Paul Olivas	Commissioner	Present	
Alex Velto	Commissioner	Present	

The meeting was called to order at 6:04 PM.

3 Public Comment

Tammy Holt-Still spoke regarding issues with the zone change requests scheduled to be heard today.

Tim Fadda spoke regarding the need to have infrastructure needs met before approving the zone change requests.

Danny Cleous spoke regarding issues with the requested zone changes.

Denise Ross spoke regarding traffic concerns.

4 Approval of Minutes (For Possible Action)

- 4.1 Reno City Planning Commission - Regular - Dec 5, 2019 5:00 PM (For Possible Action) 6:15 PM

It was moved by Commissioner Gower, seconded by Commissioner Hawkins, to approve the meeting minutes. The motion carried with unanimously with five (5) commissioners present.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Peter Gower, Commissioner
SECONDER:	Ed Hawkins, Commissioner
AYES:	Johnson, Gower, Hawkins, Olivas, Velto
ABSENT:	Kathleen Taylor, John Marshall

5 Public Hearings

- 5.1 Staff Report (For Possible Action - Recommendation to City Council): Case No. LDC20-00022 (Majestic Liberty Zone Change) - A request has been made for a zoning map amendment from Mixed Use/North Virginia Street Transit Corridor Overlay District (MU/NVTC) to Industrial Commercial (IC). The ±34.98 acre site consists of three parcels located south of North Virginia Street, ±1100 feet northwest of the Lemmon Drive/North Virginia Street intersection. The site has Master Plan land use designation of Mixed-Employment (ME). kwc **[Ward 4]** 6:15 PM

Kerry Rohrmeier, Majestic Realty Company, gave an overview of the request and noted this item came back to the Planning Commission due to a noticing error.

Kyle Chisholm, Assistant Planner, had nothing new to add to the staff report since it was last presented.

The commissioners present disclosed that they visited the site, spoke to resident, received emails, and/or met with the applicant's representative.

Public Comment:

Tammy Holt-Still spoke regarding infrastructure and flooding concerns.

Mara Felix spoke in opposition of this item.

David Bolingbroke expressed concerns regarding the impacts of the requested zone change.

There were no further requests to speak.

Mr. Chisholm explained for Commissioner Velto the differences between Mixed Use (MU) and Industrial Commercial (IC) zones and the possible traffic and flooding impacts with each type of zoning. Typically Residential uses generate more traffic than Industrial uses and both uses would have to meet drainage mitigation requirements.

Mr. Chisholm explained for Commissioner Gower that the previous recommendation by the Planning Commission to the City Council on this item is void because of the noticing error and previous recommendation to approve was unanimous.

Mr. Chisholm confirmed for Commissioner Gower the proposed Industrial use for the next agenda item is an allowed use with the current zoning.

Mr. Chisholm explained for Chair Johnson the design standards are different for the current zone than what is proposed. He confirmed the proposed use would still require a special use permit if this zone change is not approved, due to cuts and fills. He also clarified for Chair Johnson that a special use permit for residential adjacency does not apply to the current zone but the residential adjacency standards still apply.

It was moved by Commissioner Gower, seconded by Commissioner Velto, in the case of LDC20-00022 (Majestic Liberty Zone Change), based upon compliance with the applicable findings, to recommend that City Council approve the zoning map amendment by ordinance. The motion carried unanimously with five (5) commissioners present.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Gower, Commissioner
SECONDER:	Alex Velto, Commissioner
AYES:	Johnson, Gower, Hawkins, Olivas, Velto
ABSENT:	Kathleen Taylor, John Marshall

- 5.2 Staff Report (For Possible Action): Case No. LDC20-00030 (Majestic Liberty) - A request has been made for special use permits for: a) construction of two warehouse/distribution buildings totaling ±516,650 square feet located adjacent to residentially zoned property; and b) grading that results in cuts 20 feet or greater in depth and/or fills ten feet or greater in height. The ±34.98 acre site consists of three parcels located south of North Virginia Street, ±1100 feet northwest of its intersection with Lemmon Drive. The site is currently located in the Mixed Use/North Virginia Street Transit Corridor Overlay District (MU/NVTC) zone and has a Master Plan land use designation of Mixed-Employment (ME). The request is pending possible approval of a zoning map amendment to the Industrial Commercial (IC) zoning district. kwc [**Ward 4**] 6:24 PM

Brett Tremaine spoke on behalf of Majestic Liberty and thanked the Planning Commission and staff for their work.

Kerry Rohrmeier, Majestic Realty Company, gave an overview of the request and proposed language changes to Conditions 6 and 13.

Kyle Chisholm, Assistant Planner, presented the staff report. Staff received two comments in support and one opposed to the request. Staff recommends approval.

The commissioners present disclosed that they visited the site, received emails, and/or spoke with the applicant's representative.

Public Comment:

Tammy Holt-Still spoke in opposition of the request and expressed concern regarding flooding issues.

Mara Felix spoke in opposition of the request and expressed concern regarding the impacts to her property.

David Bolingbroke spoke in opposition of the request and the impacts to neighboring property.

J. Matt Wigand spoke in opposition of the request.

Rudy Garcia spoke in opposition of the request and the impacts to neighboring property.

Wes Herbst spoke in opposition of the request.

There were no further requests to speak.

Mr. Chisholm explained for Commissioner Velto there is an ordinance in place that requires the applicant to be able to demonstrate that the building is not shadowing the neighboring residential property on December 21 between 10:00 a.m. and 2:00 p.m. The applicant exceeded the required 3:1 setback ratio. The parking lot will have curb/gutter to drain into the retention area.

Mr. Chisholm explained for Commissioner Velto the landscaping includes 10 foot tall evergreen trees.

Sean Tubman, Tectonics, explained for Commissioner Hawkins where the storm water

runoff will go. This project is designed in a way that should not adversely affect Swan Lake.

Michael Mischel, City of Reno Engineering Manager, confirmed for Commissioner Hawkins this project will contribute to the shave program. It is not proposed to go to the Reno-Stead Treatment Plan. This project is a small generator. There is a little over 100,000 gallons per day remaining for the shave program and this project will be four. The Director of Public Works receives direction from City Council regarding how much can be allocated.

Angela Fuss, Planning Manager, explained for Commissioner Hawkins the recent revisions to the shading ordinance are for the downtown area and do not apply to this project.

Mr. Tubman confirmed for Commissioner Hawkins the bottom of the proposed building will be about 15 feet higher than the bottom of the adjacent residence.

Ms. Rohrmeier confirmed for Commissioner Hawkins they have been working with staff regarding electric car hookups and changed language for Condition No. 13.

Ms. Rohrmeier confirmed for Chair Johnson the detention and retention ponds are designed to capture any water that would be running off impervious surfaces and encourage infiltration.

Mr. Tubman also confirmed under existing conditions there is some portion of water that infiltrates during a storm event and an amount that does not and runs off the site completely. He explained the process and function of detention and retention basins.

Mr. Chisholm confirmed for Chair Johnson how the building height is measured and explained the code requirement with regard to fill within 20 feet of a neighboring residential property line.

Mr. Tubman explained for Chair Johnson they have done everything they can to minimize cuts and fills. Without bringing the site up from the grade on Virginia Street they would have incredibly deep cuts on the rear of the site. They are sloping the buildings from north to south in an attempt to help mimic natural grade and provide some additional relief from the cut and fill issues but with as much grade change as there is across the site, they will end up with some significant fills in front and significant cuts in the back. Another element that limited grading is the code required maximum slopes of driveways.

Mr. Chisholm explained for Commissioner Hawkins a hydrology report will have to include a final percolation test.

Paul Solaegui, traffic engineer, confirmed for Commissioner Hawkins a traffic study was not triggered by this project but the developers wanted to make sure their issues were fully disclosed and that what they are going to do is well documented so a traffic report was done. He reviewed the results of the traffic report.

Commissioner Hawkins discussed the issue of multiple projects not triggering a traffic study on their own but collectively they do.

Mr. Tubman explained for Commissioner Velto the total required setback and the greater proposed setback.

Commissioner Gower discussed findings e and f and stated even if a project is within code requirements there is still the potential for it to constitute a nuisance to area properties. This will change the characteristics of the surrounding residential areas. Every type of development that goes in is changing the characteristics of the landscape. The degree to which it creates that nuisance is different in every project we see. This fits within the code very well and goes above and beyond code requirements, at the same time it will impact surrounding properties.

Commissioner Hawkins concurred with Commissioner Gower with regard to the nuisance issue.

Chair Johnson stated the overall size and scale of the project is in keeping with zoning and code requirements but based on the proximity to a residence, there is a scale issue that makes finding e difficult to make.

Commissioner Velto agreed with Commissioner Gower that the proposed project is not as bad as what could be on the site. The applicant has done a lot to mitigate concerns and it fits within the zoning code.

Commissioner Olivas agreed it is not as bad as what could be on the site under the current zoning. The applicant has taken a lot of steps to mitigate issues and he can make the findings.

Chair Johnson state the reason this is before us for a special use permit is because it has a unique situation of residential adjacency.

It was moved by Commissioner Olivas, seconded by Commissioner Velto, in the case of

LDC20-00030 (Majestic Liberty), based upon compliance with the applicable findings, to approve the special use permit, subject to the conditions listed in the staff report as well as the amended conditions. The motion failed with two (2) in favor and three (3) oppositions by Commissioners Gower, Hawkins, and Johnson.

Commissioner Gower stated that even though this meets the intent of the code, from his perspective he sees the potential for impacts on adjacent residences, which are the findings they are required to make as part of this special use permit. He cannot make findings e and f relative to scale of the proposed project due to the adjacency to residences, and the potential for the creation of environmental impacts both for the neighboring residences and for the area generally in the North Valleys. He stated in response to Karl Hall, City Attorney, that he can make findings a and b related to cuts and fills.

It was moved by Commissioner Gower, seconded by Commissioner Hawkins, in the case of LDC20-00030 (Majestic Liberty), based on the inability to make findings e and f, to deny the special use permit.

Chair Johnson explained his vote to deny the request is not due to his inability to make findings for this type of use, it is for this particular design and scale under finding e.

Commissioner Gower stated they should not be designing projects from the dais and should not try to condition themselves into approving a project. Industrial use is an appropriate use on this parcel but the proposal presented tonight did not allow him to make the findings.

The motion carried with three (3) in favor and two (2) oppositions by Commissioners Olivas and Velto.

Chair Johnson read the appeal process into the record.

RESULT:	APPROVED [3 TO 2]
MOVER:	Peter Gower, Commissioner
SECONDER:	Ed Hawkins, Commissioner
AYES:	Mark Johnson, Peter Gower, Ed Hawkins
NAYS:	Paul Olivas, Alex Velto
ABSENT:	Kathleen Taylor, John Marshall

5.3 Staff Report (For Possible Action - Recommendation to City Council): Case No. LDC20-00026 (North Virginia Zoning Map Amendment) - A request has been made for a zoning map amendment to change the zoning designation from Mixed Use/North Virginia Street Transit Corridor Overlay District (MU/NVTC) to Industrial Commercial (IC). The ±30.2 acres site includes fourteen parcels and is generally located north of North Virginia Street, south of Interstate 395, east of Stead Boulevard, and west of Webb Circle. The site has a Master Plan land use designation of Industrial (I). njg [Ward 4] 6:26 PM

Andy Durling, Wood Rodgers, gave an overview of the project.

Nathan Gilbert, Associate Planner, presented the staff report and answered questions from commissioners regarding allowed uses and requirements for any disturbance of major drainageways.

The commissioners present disclosed that they communicated with applicant's representative and/or visited the site.

Public Comment:

Tim Fadda spoke regarding drainage concerns.

Tammy Holt-Still thanked the Planning Commission for listening regarding some of the Swan Lake issues.

There were no further requests to speak.

It was moved by Commissioner Gower, seconded by Commissioner Hawkins, in the case of LDC20-00026 (North Virginia Zoning Map Amendment), based upon compliance with the applicable findings, to recommend that City Council approve the zoning map amendment by ordinance. The motion carried unanimously with five (5) commissioners present.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Gower, Commissioner
SECONDER:	Ed Hawkins, Commissioner
AYES:	Johnson, Gower, Hawkins, Olivas, Velto
ABSENT:	Kathleen Taylor, John Marshall

6 Truckee Meadows Regional Planning Liaison Report

Commissioner Gower reported there will be a Schools Subcommittee meeting next week. The next regular meeting will be the following week.

7 Staff Announcements

- 7.1 Report on status of Planning Division projects.
- 7.2 Announcement of upcoming training opportunities.
- 7.3 Report on status of responses to staff direction received at previous meetings.
- 7.4 Report on actions taken by City Council on previous Planning Commission items.
8:20 PM

Angela Fuss, Planning Manager, reported on the following City Council actions: Bella Vista PUD 2nd reading was denied; Innovation zone change first reading was approved. Council Member Jardon initiated a text amendment to the Mortensen-Garson overlay zoning district and staff will bring that to the Planning Commission within 3-4 months. Council Member Brekhus requested an update on Prado.

8 Commissioner's Suggestions for Future Agenda Items (For Possible Action)

Commissioner Olivas asked about having access to the guest wifi after 7:00 p.m.

9 Public Comment

None

10 Adjournment (For Possible Action)

The meeting was adjourned at 8:22 p.m.